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TELEPHONE 412.297.4900  
FAX 412.209.0672

FAX COVER LETTER

DATE: August 10, 2006

NUMBER OF PAGES: 18

TO: USPTO

FIRM/COMPANY: 571-273-8300

FAX NUMBER:

TELEPHONE NUMBER:

FROM: Jennifer L. Martinez, Intellectual  
Property Paralegal

DIRECT TELEPHONE NUMBER: 412.297.4731

CLIENT/MATTER NO.: 1751.0299

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NO. 252 P. 5

AUG 10 2006

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
01-180

In Re Application Of: **Kevin A. Seiling et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/001,730	November 2, 2001	Allan R. Kuhns	30058	1732	2670

Invention: **Composition for Making Extruded Shapes and a Method for Making Such Composition**

**COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

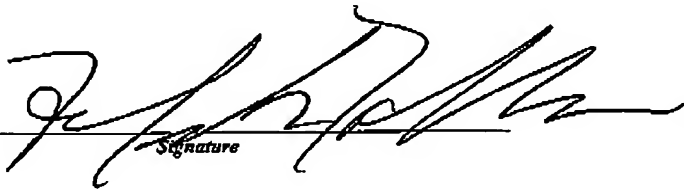
Check applicable statement herebelow:

**Statement Under 37 CFR 1.97(e)(1)**

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement Under 37 CFR 1.97(e)(2)**

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

Dated: August 10, 2006

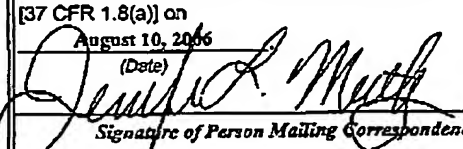
**Frederick L. Tolhurst, Esq.**  
USPTO Reg. No. 28,123  
Cohen & Grigsby, P.C.  
11 Stanvix Street, 15th Floor  
Pittsburgh, PA 15222-1319  
412-297-4900

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August 10, 2006  
(Date)  
  
Signature of Person Mailing Correspondence  
**Jennifer L. Martinez**  
Typed or Printed Name of Person Mailing Correspondence

P10C/REV04

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AUG 10 2006

NO. 252 P. 4

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(d))	Docket No. 01-180
--	----------------------

In Re Application Of: Kevin A. Seiling

Application No. 10/001,730	Filing Date November 2, 2001	Examiner Kevin A. Seiling	Customer No. 30058	Group Art Unit 1732	Confirmation No. 2670
-------------------------------	---------------------------------	------------------------------	-----------------------	------------------------	--------------------------

Title: A Composition for Making Extruded Shapes and a Method for Making Such Composition

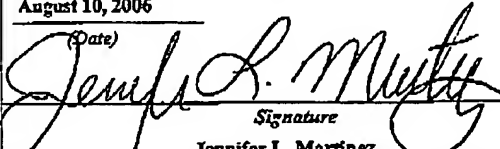
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Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 03-2026 as described below.
- ☒ Charge the amount of \$180.00
- ☒ Credit any overpayment.
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Jennifer L. Martinez  
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Signature  
Dated: August 10, 2006  
Frederick L. Tolhurst, Esq.  
USPTO Reg. No. 28,123  
Cohen & Grigsby, P.C.  
11 Stanwix Street, 15th Floor  
Pittsburgh, PA 15222-1319  
412-297-4900

cc:

P108/REV05

AUG 10 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kevin A. Seiling

Serial No. 10/001,730

Filed: November 2, 2001

Art Unit: 1732

Patent Examiner: Kuhns, Allan R.

Our Ref: 01-180

A COMPOSITION FOR MAKING  
EXTRUDED SHAPES AND A  
METHOD FOR MAKING SUCH  
COMPOSITIONCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 10, 2006

TRANSMITTAL LETTER

In response to the "Order Returning Undocketed Appeal to Examiner" mailed August 1, 2006, a follow-up to a telephonic conversation with the Examiner of August 7, 2006, and a second telephonic conversation initiated by the Examiner on August 10, 2006, Applicant hereby submits that the Information Disclosure Statement filed April 25, 2006 was timely filed.

The Information Disclosure Statement filed April 25, 2006 contained prior art references cited by a foreign patent office in the International Preliminary Report on Patentability issued by the International Preliminary Examining Authority on April 14, 2006. Applicant electronically filed the Information Disclosure Statement on April 25, 2006, within the required three month timeframe. At the time of filing, Applicant inadvertently did not file the coversheet providing either the statement specified in 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).

*Serial No. 10/001,730*  
*Transmittal Letter dated August 10, 2006*

Applicant herewith submits the Transmittal of Information Disclosure Statement Under 37 CFR 1.97(d) along with the Statement Under 37 CFR 1.97(e) and a courtesy copy of the Information Disclosure Statement as filed on April 25, 2006, as requested by the Examiner. For purposes of clarity, Applicant hereby submits a copy of the original documents as filed August 7, 2006.

The Commissioner is hereby authorized to charge Deposit Account No. 03-2026 for any fees associated with this filing.

Respectfully submitted,

By:



Frederick L. Tolhurst  
U.S. PTO Reg. No. 28,123  
Cohen & Grigsby, P.C.  
11 Stanwix Street, 15<sup>th</sup> Floor  
Pittsburgh, PA 15222  
(412) 297-4900

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AUG 10 2006

**Acknowledgement Receipt**

The USPTO has received your submission at 09:20:32 Eastern Time on 25-APR-2006 .

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

**eFiled Application Information**

EFS ID	1030226
Application Number	10001730
Confirmation Number	2670
Title	Composition for making extruded shapes and a method for making such composition
First Named Inventor	Kevin A. Seiling
Customer Number or Correspondence Address	30058
Filed By	Frederick L. Tolhurst/Jennifer Martinez
Attorney Docket Number	01-180
Filing Date	02-NOV-2001
Receipt Date	25-APR-2006
Application Type	Utility

**COPY****Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
Veka01-180IDS.pdf	1	Information Disclosure Statement (IDS) Filed	117011 bytes	△ WARNINGS

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

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NO. 252 Pa. 7 of 2

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/D01,730
Filing Date	November 2, 2001
First Named Inventor	Kevin A. Seiling
Art Unit	1732
Examiner Name	Allan R. Kihns
Attorney Docket Number	01-180

**U. S. PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US- 5,474,831	12-12-1995	Nystrom	
	AB	US- 5,789,453	08-04-1998	Detarman	
	AC	US- 6,818,676	11-16-2004	Koffler et al.	
	AD	US- 2005/0058822	03-17-2005	Itai	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	<sup>6</sup>

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Serial No. 10/001,730  
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NO. 252 P. 10 P. 1

\* \* \* COMMUNICATION RESULT REPORT ( AUG. 7. 2006 4:31PM ) \* \* \*

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DIRECT TELEPHONE NUMBER: 412.297.4731

CLIENT/MATTER NO.: 1751.0299

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

In re Application of:

Kevin A. Seiling

Serial No. 10/001,730

Filed: November 2, 2001

Art Unit: 1732

Patent Examiner: Kuhns, Allan R.

Our Ref: 01-180

A COMPOSITION FOR MAKING  
EXTRUDED SHAPES AND A  
METHOD FOR MAKING SUCH  
COMPOSITIONCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 7, 2006

**TRANSMITTAL LETTER**

In response to the "Order Returning Undocketed Appeal to Examiner" mailed August 1, 2006, and in follow-up to a telephonic conversation with the Examiner of August 7, 2006, Applicant hereby submits that the Information Disclosure Statement filed April 25, 2006 was timely filed.

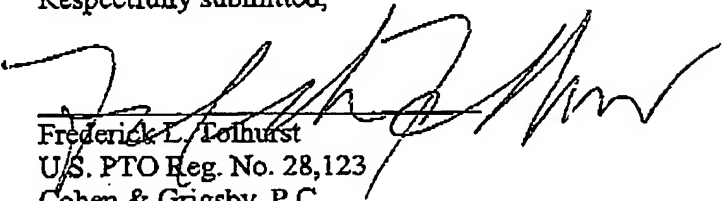
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**COPY***Serial No. 10/001,730**Transmittal Letter dated August 7, 2006*

Applicant herewith submits the Transmittal of Information Disclosure Statement along with the Statement Under 37 CFR 1.97(e) and a courtesy copy of the Information Disclosure Statement as filed on April 25, 2006. The Commissioner is hereby authorized to charge Deposit Account No. 03-2026 for any fees associated with this filing.

Respectfully submitted,

By:



Frederick L. Tolhurst  
U.S. PTO Reg. No. 28,123  
Cohen & Grigsby, P.C.  
11 Stanwix Street, 15<sup>th</sup> Floor  
Pittsburgh, PA 15222  
(412) 297-4900

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NO. 252 P. 13

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
01-180

In Re Application Of: Kevin A. Seiling et al.

**COPY**

Application No. 10/001,730	Filing Date November 2, 2001	Examiner Allan R. Kuhns	Customer No. 30058	Group Art Unit 1732	Confirmation No. 2670
-------------------------------	---------------------------------	----------------------------	-----------------------	------------------------	--------------------------

Invention: Composition for Making Extruded Shapes and a Method for Making Such Composition

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

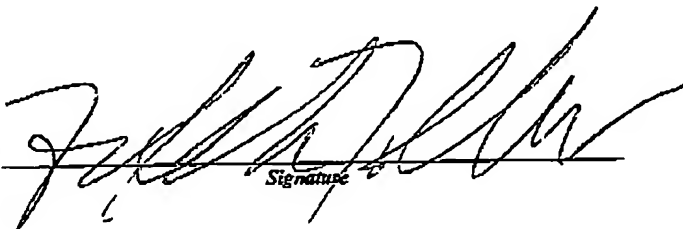
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

Dated: August 7, 2006

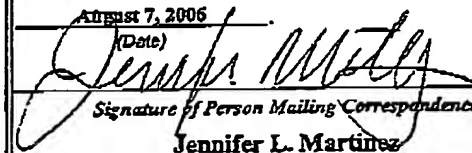
Frederick L. Tolhurst, Esq.  
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August 7, 2006

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Jennifer L. Martinez

Typed or Printed Name of Person Mailing Correspondence

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AUG 10 2006

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))Docket No.  
01-180**COPY**

In Re Application of: Kevin A. Seiling et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/001,730	November 2, 2001	Allan R. Kuhns	30058	1732	2670

Title: Composition for Making Extruded Shapes and A Method for Making Such Composition

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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- ☐ Payment by credit card. Form PTO-2038 is attached.

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August 7, 2006

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Jennifer L. Martinez

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(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

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Dated: August 7, 2006

Signature

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))Docket No.  
01-180

In Re Application Of: Kevin A. Seiling et al.

**COPY**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/001,730	November 2, 2001	Allan R. Kuhns	30058	1732	2670

Title: Composition for Making Extruded Shapes and A Method for Making Such Composition

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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### eFiled Application Information

EFS ID	1030226
Application Number	10001730
Confirmation Number	2670
Title	Composition for making extruded shapes and a method for making such composition
First Named Inventor	Kevin A. Seiling
Customer Number or Correspondence Address	30058
Filed By	Frederick L. Tolhurst/Jennifer Martinez
Attorney Docket Number	01-180
Filing Date	02-NOV-2001
Receipt Date	25-APR-2006
Application Type	Utility

**COPY**

### Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
Veka01-180IDS.pdf	1	Information Disclosure Statement (IDS) Filed	117011 bytes	▲ WARNINGS

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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

#### New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

#### National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

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Application Number	10/001,730
Filing Date	November 2, 2001
First Named Inventor	Kevin A. Seiling
Art Unit	1732
Examiner Name	Allan R. Kihns
Attorney Docket Number	01-180

Sheet 1 of 1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US- 5,474,831	12-12-1995	Nystrom	
	AB	US- 5,789,453	08-04-1998	Detterman	
	AC	US- 6,818,676	11-16-2004	Koffler et al.	
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		Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>5</sup> (if known)				

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